

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

UNITED STATES OF AMERICA)
)
)
v.) Case No. 2:21-mj-00085-JHR
)
)
STEPHEN TRACY)

JOINT MOTION TO EXTEND TIME TO INDICT

The United States of America and the defendant, by and through undersigned counsel, hereby move that the Court enter an order under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7), excluding the time that elapses between June 10, 2021, and July 13, 2021. In support of this joint motion to extend the time to indict, the parties state as follows:

The parties have reached an agreement as to an alternate resolution to the defendant's case that negates the need for an indictment and a trial. The parties are seeking an additional period in order to allow the Court to hold a waiver of indictment, arraignment, and Rule 11 hearing on an information, which is presently scheduled to take place via video on July 13, 2021.

The interest of justice to be served by the requested exclusion of time outweighs the interest of the defendant and the public in a speedy trial both because the parties have reached an agreement that obviates the need for an indictment and trial as evidenced by the recent scheduling of the video hearing, and because allowing the parties to proceed in accordance with their agreement will promote a speedy and certain outcome. Defense counsel advises that he consents to this joint motion and that the defendant waives his rights under the Speedy Trial Act for the period of the requested exclusion.

WHEREFORE, the parties respectfully request that the Court enter an order excluding the period between June 10, 2021, and July 13, 2021, from calculation under the provisions of the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*

Dated: June 3, 2021

/s/Lindsay Feinberg
Assistant United States Attorney

/s/Mark Peltier, Esq.
Attorney for Stephen Tracy

**UNITED STATES DISTRICT COURT
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CERTIFICATE OF SERVICE

I hereby certify that on June 3, 2021, I filed the foregoing Joint Motion to Extend Time to Indict using the Court's CM/ECF system, which will cause a copy of the motion to be sent to all counsel of record.

Donald E. Clark
Acting United States Attorney

/s/Lindsay B. Feinberg
Assistant United States Attorney